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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,897	12/02/2003	Yuan-Chi Chang	YOR920030555US1	2439

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EXAMINER

PHAM, HUNG Q

ART UNIT	PAPER NUMBER
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2168

MAIL DATE	DELIVERY MODE
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07/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/724,897

Applicant(s)

CHANG ET AL.

Examiner

HUNG Q. PHAM

Art Unit

2168

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-6, 8-19, 21-31 and 33-37.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

L. Q. Pham

HUNG Q. PHAM
Primary Examiner
Art Unit: 2168

Continuation of 11.

Claim Rejections - 35 USC § 101

Applicant's arguments with respect to the rejection under 35 U.S.C. § 101 have been fully considered. The rejection has been withdrawn.

Claim Rejections - 35 USC § 102/103

Applicant's arguments with respect to the rejection of claims 1-6, 8, 9, 12-19, 21, 22, 25-31, 33, 34 and 37 under 35 U.S.C 102/103 have been fully considered but they are not persuasive.

1.

Applicants submit that Bergman fails to satisfy the plain meaning of the claim language of the independent claims relative to a "semantic object." Indeed, Bergman even concedes that the capability of determining semantic objects has not even been incorporated, as clearly described at lines 22-25 on page 457: *"Semantic object extraction. Semantic object extraction (as part of data ingest) has not been incorporated into the current scenario. Since the SPIRE framework supports object pre-extraction, however, we will describe this facility here. Incorporating this into the PetroSPIRE application, would be very straightforward, and we anticipate doing so in the near future."*

Applicants, therefore, submit that, if the capability to extract semantic objects is not even present in Bergman, then this reference clearly fails to suggest the summarization and indexing of semantic objects, as required by the independent claims.

2.

In the rejection, the Examiner relies upon the description at the bottom of page 457 related to "Feature Extraction." However, feature extraction is not equivalent to "semantic object extraction", as clearly evidenced by the description in Bergman itself that feature extraction has been implemented in their system, as described in this final paragraph on page 457, whereas the capability of semantic object extraction has not been incorporated into their system. Therefore, Bergman itself considers feature extraction to be something other than extraction of semantic objects.

3.

Hence, turning to the clear language of the claims, in Bergman there is no teaching or suggestion of: "A method for storing a semantic object derived from geological seismic survey data, the method comprising: summarizing attributes of said semantic object; indexing the summary of attributes; and storing the summary of attributes and the index of the summary of attributes, wherein said summary of attributes comprises one of a slice label, a signal strength, and a coordinate of a surveyed segment", as required by independent claim 1. The remaining

The examiner respectfully disagrees.

Even if the capability to extract semantic objects is not even present in Bergman, the Bergman reference still clearly suggest the summarization and indexing at least with respect to the claimed languages. In the claims, especially claim 1, attributes of semantic object is summarized and indexed. Claim 1 clearly limits the summarizing step to the attributes only. Therefore, the capability to extract semantic object does not effect the teaching in view of summarizing the attributes and indexing the summary of attributes.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., semantic object extraction) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

A clearly indicated in the Final Office action 05/03/07, vector of feature values of a rock strata (Bergman, Abstract and Page 457 Lines 45-47) as *attributes of said semantic object* are extracted or summarized. Bergman further discloses the step of *storing the summary of attributes*

and the index of the summary of attributes (Bergman, Page 457 Lines 45-46, storing vector of extracted features values of the semantic object; Page 457 Line 50, storing the index of feature values as an R-Tree), *wherein said summary of attributes comprises one of a slice label, a signal strength, and a coordinate of a surveyed segment* (Bergman, Page 454 Lines 11-15, features is assigned a semantic label as *slice label*).

In light of the foregoing arguments, the 35 U.S.C. § 102/103 is hereby sustained.